

RESOLUTION NO. 1965

A RESOLUTION DETERMINING CONVENIENCE AND NECESSITY
OF ORDERING ACQUISITIONS AND IMPROVEMENTS, OVER-
RULING PROTESTS AND DIRECTING FORMATION OF PARKING
DISTRICT NO. 1

RESOLVED, by the City Council of the City of Lodi, California,
that

WHEREAS, on June 18, 1956, a verified petition for the Form-
ation of Parking District No. 1 of the City of Lodi was filed in
the office of the City Clerk under and pursuant to the Parking
District Law of 1951, Part 4, comprising Sections 35100 to 35706,
inclusive of Division 18, of the Streets and Highways Code, as
amended;

WHEREAS, the City Clerk examined said petition and certified
to the Council and the Council has found that said petition was
signed by the owners of real property in the proposed district, as
shown by the last equalized assessment roll used by the City of
Lodi for purposes of city taxation, owning real property of an
assessed value of not less than fifty-one per cent (51%) of the
total assessed value of all taxable real property in the district,
as shown by the assessment roll, and owning taxable land in the
proposed district constituting not less than fifty-one per cent
(51%) of the total area of all taxable land in the proposed dis-
trict, and that said petition was sufficient;

WHEREAS, on July 18, 1956, said Council adopted Resolution
No. 1942, a Resolution of Approval and Agreement to Terms of
Petition for the Formation of Parking District No. 1, and Direct-
ing Preparation of Report, wherein the Council directed the firm
of Harold F. Wise, Associates, planning consultants, to make and
file with the Clerk of said City a report in writing, in accord-
ance with and pursuant to said law;

WHEREAS, said report was duly made and filed with the Clerk, whereupon the Clerk presented it to said Council for consideration;

WHEREAS, said Council thereupon duly considered said report and each and every part thereof, and found that it contained all the matters and things called for by the provisions of said Law;

WHEREAS, on July 18, 1956, this Council adopted its Resolution No. 1943, a Resolution of Preliminary Approval of Engineer's Report Pursuant to the Parking District Law of 1951, and its Resolution No. 1944, a Resolution of Intention to Form Parking District in the City of Lodi and to Issue Bonds to Pay the Costs and Expenses Thereof, Parking District No. 1, for the purpose of acquiring and improving off-street parking places in the said City and to form said area into a parking district, and to issue bonds and to levy ad valorem assessments, under and pursuant to said Law;

WHEREAS, said Council found that said report and each and every part thereof was sufficient in every particular and determined that it should stand as the report for all subsequent proceedings under said Law, whereupon said Council, pursuant to the requirements of said Law, appointed Wednesday, the 5th day of September, 1956, at the hour of 8:00 o'clock P.M. of said day in the Council Chambers, City Hall, Lodi, California, as the time and place for hearing protests in relation to said proposed acquisitions and improvements and directed the Clerk of said City to give notice of said hearing as required by said Law;

WHEREAS, it appears that notices of said hearing were duly and regularly published and mailed in the time, form and manner required by said Law, as evidenced by the affidavits on file with said Clerk, whereupon said hearing was duly and regularly held at the time and place advertised in said notices; and

WHEREAS, persons interested and objecting to the formation of said parking district, or to the extent thereof, or to the inclusion of their property therein, or to the acquisitions and improvements

as proposed, or to the issuance of bonds, or to the doing of any other things as proposed in said Resolution of Intention, filed written protests with the Clerk of said City at or before the time set for said hearing, and all persons interested desiring to be heard were given an opportunity to be heard, and all matters and things pertaining to said acquisitions and improvements were fully heard and considered by said Council;

NOW, THEREFORE, said Council does hereby FIND, DETERMINE and ORDER, as follows:

1. That the owners of more than one-half of the assessed valuation of all taxable real property in the district have not filed written protests objecting to the formation of Parking District No. 1 of the City of Lodi, or to the extent thereof, or to the inclusion of their property therein, or to the acquisitions and improvements, or to the issuance of bonds, or to the doing of any other things as proposed in said Resolution of Intention.

2. That any and all protests made either to the question of the formation of said parking district, or to the extent thereof, or to the inclusion of any property therein, or to the acquisitions and improvements, or to the issuance of bonds, or to the doing of any other things as proposed in said Resolution of Intention, and all persons desiring to be heard in relation to any of said matters, whether as protestants or otherwise, have been duly heard and considered, and such modifications in the boundaries of the district and in the acquisitions and improvements as were deemed advisable by the City Council have been made, and all protests are hereby overruled.

3. That the public interest, convenience and necessity require the acquisitions and improvements in the manner hereinafter provided, that said improvements are planned and located in the manner which will be most compatible with the greatest public good and the least private injury, and that it is necessary to acquire the lands hereinafter described in fee for said improvements, and that Division 4 of the Streets and Highways Code shall not apply.

4. That the property to be acquired is more particularly described as follows:

Parcel A. Lots 7 and 8, Block 2.

Parcel B. Lot 5, Block 2.

Parcel C.1. Lot 8 and west 60 feet of Lot 7, Block 11.

Parcel C.2. East 20 feet of Lot 7 and west 70 feet of Lot 6, Block 11.

Parcel D. Lot 1 and west 20 feet of Lot 2, Block 3.

Parcel E. North 116 feet of Lots 3 and 4, Block 10.

Parcel F. Lots 1 and 2, Block 9.

Parcel G. Lots 5, 6, 7 and 8, Block 4.

Parcel H. Lot 7, Block 9.

Parcel I. Lots 7 and 8, Block 8.

Parcel J. Parcel bounded by Sacramento Street, Oak Street, Walnut Street and line drawn parallel to and easterly 125 feet of the easterly line of Sacramento Street.

All of said parcels are as shown on the map of the City of Lodi on file in the office of the City Clerk.

5. No public ways are proposed to be acquired for ingress to and/or egress from said parking places.

6. The improvements proposed to be made or constructed on said parking places are grading and the construction thereon of pavement, curbs, drains, lights, fences, rails, meters, and any buildings or structures necessary for the proper operation thereof; and the making of all acquisitions and the constructing of all improvements and the performance of all work auxiliary thereto and necessary to complete same as off-street parking facilities.

7. That all lands included in the proposed district in said Resolution of Intention which are not within the boundaries hereinafter described will not be benefited by being included in the district and have been excluded, and all lands included within the boundaries hereinafter described will be benefited by inclusion in the district.

8. That the district benefited by said acquisitions and improvements and to be formed into said parking district and be assessed, and the exterior boundaries thereof, is the district hereinafter described.

9. That a parking district, to be known as Parking District No. 1, shall hereafter be formed by appropriate Ordinance of the area of said assessment district, for the purpose of paying the costs and expenses of acquiring, constructing, reconstructing, installing, extending, enlarging and improving public automobile parking places therein by the City, the exterior boundaries of which shall be as hereinafter described.

10. That all public streets, avenues, highways, lanes and alleys and other public places and ways, contained within said assessment district, in use in the performance of a public function as such, shall be omitted from the levy and collection of the special taxes to be hereafter levied and collected to pay principal and interest on said bonds.

11. That the estimate of Harold F. Wise, Associates, planning consultants, of the itemized and total estimated costs and expenses of said acquisitions and improvements, and of the incidental expenses in connection therewith, contained in said report, be, and it is hereby, finally adopted and approved as the total and detailed estimate of the costs and expenses of said acquisitions and improvements.

12. That the public interest, convenience and necessity require, and that said Council does hereby order, the acquisitions and improvements to be made as described in and in accordance with said Resolution of Intention and said report, as hereinabove described, and on file in the office of the Clerk of said City, reference to which is hereby made for a more particular description of said acquisitions and improvements and for further particulars, pursuant to the provisions of said Law.

13. That serial (ad valorem realty) bonds shall be issued in the amount of \$450,000, pursuant to said Parking District Law of 1951, as shall hereafter be provided, for the issuance of which jurisdiction is hereby reserved.

14. Said parking district and assessment district, and the exterior boundaries thereof, are more particularly described in Exhibit "A" hereto attached and by reference incorporated herein.

* * * * *

I hereby certify that the foregoing resolution was duly and regularly passed and adopted by the City Council of the City of Lodi, California, at a meeting thereof held on the 5th day of September, 1956, by the following vote:

AYES, and in favor thereof, Councilmen: Fuller, Katzakian, Robinson and Mitchell

NOES, Councilmen: Hughes

ABSENT, Councilmen: None

Henry J. Graves
City Clerk of the City of Lodi

APPROVED:

Lloyd B. Mitchell
Mayor

PARKING DISTRICT NO. 1 OF THE CITY OF LODI
SAN JOAQUIN COUNTY, CALIFORNIA

EXHIBIT "A"

BEGINNING at the point of intersection of the southerly line of Walnut Street with the westerly line of the Southern Pacific Company right of way; thence westerly along the southerly line of Walnut Street to its intersection with the westerly line of Church Street; thence northerly along the westerly line of Church Street to the southerly line of Oak Street; thence westerly along the southerly line of Oak Street to the westerly line of Pleasant Avenue; thence northerly along the westerly line of Pleasant Avenue to the westerly prolongation of the northerly line of the alley south of Pine Street; thence easterly along said westerly prolongation and along the northerly line of said alley to the westerly line of Church Street; thence northerly along the westerly line of Church Street to the southerly line of the alley south of Elm Street; thence westerly along said alley line and its westerly prolongation to the westerly line of Pleasant Avenue; thence northerly along said westerly line of Pleasant Avenue to the westerly extension of the northerly line of the alley south of Locust Street; thence easterly along said westerly extension and along the northerly line of said alley to the easterly line of Sacramento Street; thence southerly along said easterly line of Sacramento Street to the northerly line of Oak Street; thence easterly along said northerly line of Oak Street to said westerly line of the Southern Pacific Company right of way; and thence southerly along said railroad right of way to the point of beginning.